

441-79273

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

-----X
FEDERAL NATIONAL MORTGAGE
ASSOCIATION,

Plaintiff,

- against -

OLYMPIA MORTGAGE CORPORATION and LIEB
PINTER, SHAINDY PINTER, BARRY
GOLDSTEIN, MIRIAM GOLDSTEIN, SAMUEL
PINTER, FAGIE PINTER, ABE DONNER, ZEISHA
AUERBACH, ALAN BRAUN, ALAN J. BRAUN
AND CO., MARCUS PINTER, MIDWOOD
FEDERAL CREDIT UNION, 1716 REALTY
CORPORATION, KAHAL SHOMREI HADATH and
DOE COMPANIES,

Defendants.

-----X
OLYMPIA MORTGAGE CORPORATION,

Crossclaim Plaintiff,

-against-

LIEB PINTER, et al.

Crossclaim Defendants
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Pursuant to F. R. Civ. P. 56.1, the defendant and crossclaim defendant, Marcus Pinter, by his attorneys, MARTIN CLEARWATER & BELL LLP presents his Statement of Material Facts Not at Issue, as follows:

1. Fannie Mae never engaged Mr. Pinter to provide accounting services (Exhibit "G", page. 228, line 23-25 and page. 229, line 1-13).
2. Mr. Pinter is licensed as a certified public accountant in New York (Exhibit "H", page. 11, line 8-14).

**DEFENDANT, MARCUS
PINTER'S F. R. Civ. P. 56.1
STATEMENT**

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(MDG)

3. Mr. Pinter started performing services for Olympia in 1992 (Exhibit "H", page. 30, line 14-16).

4. Mr. Pinter was not Olympia's auditor and he did not prepare and/or issue Olympia's certified financial statements (Exhibit "H", page. 67, line 7-24; page. 76, line 17-21; page. 155, line 16-18 and Exhibit "J", page. 8 and Exhibit "L", page. 53, line 5-23).

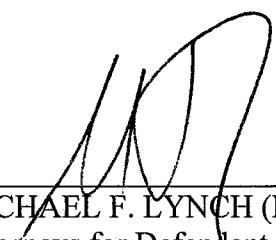
5. Mr. Pinter prepared Olympia's tax returns based upon financial statement prepared by Olympia's auditors (Exhibit "H", page. 76, line 17-21).

6. Mr. Pinter did not provide any professional services for Olympia's loan servicing department (Exhibit "H", page. 47, line 18-25 and page. 48, line 1-2).

7. Mr. Pinter did not have any knowledge of the Code 59 loans while he was providing professional services to Olympia. (Exhibit "H", page. 168. line 19-22, page 170; line 5-25).

8. Mr. Braun was Olympia's auditor and he was paid by Olympia to perform audit work (Exhibit I, page. 58, line 14-19 and Page. 68, line 3-6).

Dated: New York, New York
May 1, 2008

/s/ 
MICHAEL F. LYNCH (ML 8282)
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TO: